

December 18, 2020

Honorable Erica Barker Secretary Postal Regulatory Commission 901 New York Avenue, NW, Suite 200 Washington, DC 20268-0001

Dear Ms. Barker:

Pursuant to 39 U.S.C. § 407(d)(2), the United States Postal Service (Postal Service) files as Enclosure 1 to this letter the redacted copy of a modification to a bilateral agreement entered into between the Postal Service and a foreign postal operator (Agreement). The Postal Service has marked the nonpublic, unredacted version of this Agreement as "Confidential" and "Non-Public" and has filed it under seal because it contains information considered confidential and commercially sensitive by the affected postal operator and the Postal Service.

The Postal Service considers certain portions of the Agreement filed in this matter to be protected by 39 U.S.C. § 410(c)(2) and thereby not subject to mandatory disclosure under the Freedom of Information Act (FOIA). Further, the Agreement contains the commercial information of the Postal Service and the affected postal operator, and, as such, certain portions of the Agreement are subject to protection under Exemptions 3 and 4 of FOIA. Consequently, the Postal Service requests that the redacted portions of the Agreement remain confidential and incorporates by reference the Application for Non-Public Treatment that the Postal Service filed as Attachment 1 to the Notice that it filed with the Postal Regulatory Commission (Commission) on June 30, 2020 in Docket No. CP2020-211.<sup>2</sup> In addition, the Postal Service respectfully requests that the Commission coordinate with the Postal Service in the event that this Agreement becomes the subject of a FOIA request, so that we can engage in appropriate consultations with the affected postal operator.

Thank you for your attention to this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

/s/

Andrew Pigott
Honors Attorney
Global Business & Service Development

**Enclosure** 

<sup>&</sup>lt;sup>1</sup> This refers to bilateral agreement number FY20-3, which the Postal Service filed with the Postal Regulatory Commission on June 30, 2020 in Docket No. CP2020-211. See Notice of United States Postal Service of Filing Functionally Equivalent Inbound Competitive Multi-Service Agreement with Foreign Postal Operator – FY20-3, Docket No. CP2020-211, June 30, 2020 (Notice), at Attachment 2 (FPO-USPS Agreement FY20-3). <sup>2</sup> Notice, at Attachment 1 (Application of United Postal Service for Non-Public Treatment of Materials).

Sent: Thursday, December 17, 2020 4:51 AM  To: Raines Jr, Robert H - Washington, DC <robert.h.rainesjr@usps.gov>;</robert.h.rainesjr@usps.gov>
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Dear Robert,
is on holiday this week so please accept this email as confirmation of our acceptance to these terms.
Kind Regards
From: Raines Jr, Robert H - Washington, DC < robert.h.rainesjr@usps.gov > Sent: 16 December 2020 22:19

This e-mail is to memorialize the settlement agreement
; it supersedes any prior understanding on the
subject of said settlement agreement. Both parties understand and agree that all terms and
conditions of the
apply to this settlement agreement with the same force and effect including, but not limited to,
The following is confirmed and agreed to between
The following is committed and agreed to between

Please acknowledge receipt of this e-mail and provide written confirmation by reply e-mail if you accept the terms of this settlement agreement. Should you wish to enumerate any additional terms or propose any other counteroffer to this settlement agreement, please contact me by phone. Thank you for your time and attention to this matter. We look forward to continuing to collaborate in the future on matters of importance to our posts.

Regards,

Robert H. Raines Jr Managing Director, Global Business

*Office: 202-268-2978 Cell: 202-439-1348* 



